

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RAEDONNA BUSH,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-13-977-M
)	
CAROLYN COLVIN, Acting)	
Commissioner Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On July 10, 2014, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Acting Commissioner of the Social Security Administration (“Acting Commissioner”) denying plaintiffs’ application for supplemental security income under Title XVI of the Social Security Act. The Magistrate Judge recommended the Acting Commissioner’s decision in this matter be affirmed. The parties were advised of their right to object to the Report and Recommendation by July 30, 2014, and on that date, plaintiff filed her objection.


Plaintiff objects to the Magistrate Judge’s findings and asserts (1) that the Report and Recommendation erroneously found that it was just and proper to violate plaintiff’s constitutional rights in the Administrative Law Judge’s (“ALJ”) claim determinations (Plf.’s Obj. at 2); (2) that the Magistrate Judge failed to follow, or at least explain why she did not follow, the Commissioner’s rules (*id.* at 5); and (3) that the ALJ did not state the reasons for refusing to recuse herself, as required (*id.* at 6). Having carefully reviewed this matter de novo, the Court finds that the Magistrate Judge did not err in finding that (1) plaintiff was not prejudiced when she was not given the opportunity to review and comment on evidence provided by the

vocational expert prior to the ALJ issuing her decision in this case; and (2) plaintiff did not provide any information explaining what she would have done if the ALJ had informed plaintiff in writing of the reasons for not recusing herself. Further, the Court finds that the Acting Commissioner's rules do not have the force of law, and the Magistrate Judge was not required to adhere to those rules.

Accordingly, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 13] issued by the Magistrate Judge on July 10, 2014, and
- (2) AFFIRMS the decision of the Acting Commissioner.

IT IS SO ORDERED this 20th day of October, 2014.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE